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APPLICATION N	О.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/813,372		03/30/2004	Ming Li	MATG-395US	MATG-395US 4694	
23122	7590	04/06/2006		EXAMINER		
RATNERPRESTIA P O BOX 980				BOOTH, RICHARD A		
VALLEY FORGE, PA 19482-0980				ART UNIT	PAPER NUMBER	
	•			2812		
				DATE MAIL ED: 04/06/200	DATE MAILED: 04/06/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) LET AL				J
## Examiner ## Richard A. Booth		Application No.	Applicant(s)	
Richard A. Booth Richard S.		10/813,372	LI ET AL.	
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Beambase of time may be waited under the provious of 37 CFR 1138(i) in to event, however, may a reply be timely filled If NO period for reply is apecified above, the maximum statutory pareds will apply and well expire SIX (5) MONTHS from the mailing date of this communication. Feature to reply which mis est or excended period for reply will, by statute, cause the application become BANNOENED (5) US US € 19 133. Any restrict patient time alloquence. See 37 CFR 1.748() Feature to reply which may be seen the mailine statutory pareds will apply and well expire SIX (5) MONTHS from the mailing date of this communication. Even if sinely filled, may reduce any service patient time alloquence. See 37 CFR 1.748() Status 1) Sees ponsive to communication(s) filled on 24 January 2006. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-96 is/are pending in the application. 4a) Of the above claim(s) 20.44 and 84 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 5) Claim(s) is/are rejected. 7) Claim(s) is/are rejected. 7) Claim(s) is/are rejected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 11) Some **Clm Mail And *	Office Action Summary	Examiner	Art Unit	
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12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	11) The oath or declaration is objected to by the	Examiner. Note the attached	d Office Action or form PTO-15	2.
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DETAILED ACTION

Applicant's election of the MEMS device in the reply filed on 01/24/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Upon reconsideration of the application, an additional election of species requirement is also deemed necessary.

Election/Restrictions

This application contains claims directed to the following patentably distinct species: a first embodiment directed to a method of manufacturing a microstructure device (see claim 1), a second embodiment directed to a method of mass customizing a plurality of microstructures (see claim 25), a third embodiment directed to a method of repairing a microstructure (see claim 45), and a fourth embodiment directed to a method of laser machining a microstructure device (see claim 66). The species are independent or distinct because they are patentably distinct embodiments.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim

Art Unit: 2812

is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard A. Booth whose telephone number is (571) 272-1668. The examiner can normally be reached on Monday-Thursday from 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lebentritt can be reached on (571) 272-1873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/813,372

Art Unit: 2812

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard A. Booth Primary Examiner Art Unit 2812 Page 4

April 3, 2006